



08-26-08

PCT

RLL-496US

IAP04Rec'd PCT 25 AUG 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KUMAR *et al.*

Application No.: 10/598,370

Filing Date: 2/28/2005 (I.A.)

Title: PROCESS FOR PREPARATION OF ZIPRASIDONE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following correspondence:

- Response to Notice to File Missing Parts of Application
- Executed Combined Declaration and Power of Attorney
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on August 25, 2008.

Kim Campbell

Name of Person Mailing Correspondence


SignatureEV 919464084 US

"Express Mail" Mailing Label Number

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
RLL-496US

In Re Application Of: **KUMAR, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/598,370	2/28/2005 (I.A.)	TBA	26815	TBA	3246

Invention: PROCESS FOR PREPARATION OF ZIPRASIDONE

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

June 26, 2008

Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

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RLL-496US

In Re Application Of: **KUMAR, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/598,370	2/28/2005 (I.A.)	TBA	26815	TBA	3246

Invention: **PROCESS FOR PREPARATION OF ZIPRASIDONE**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☐ Completion of application fees as calculated below:

☐ Utility application basic fee

☐ Design application basic fee

☐ Search Fee

☐ Examination Fee

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees _____

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

08/27/2008 LLANDGRA 00000048 500912 10598370
01 FC:1617 130.00 DA

Total time extension fees _____

Total fees due _____

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
RLL-496US

In Re Application Of: KUMAR, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/598,370	2/28/2005 (I.A.)	TBA	26815	TBA	3246

Invention: **PROCESS FOR PREPARATION OF ZIPRASIDONE**

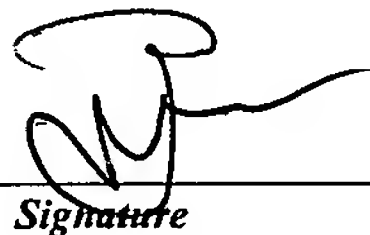
TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of _____ is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0912**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0912**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: August 28, 2008

Jayadeep R. Deshmukh, Esq.
Reg. No. 34,507

Customer No. 26815

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~first class~~ ^{Express} mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 28, 2008

(Date)


Signature of Person Mailing Correspondence

Kim Campbell

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUN 30 2008

RANBAXY
IP DEPARTMENT

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/598,370	Yatendra KUMAR	RLL-496US

26815
RANBAXY INC.
600 COLLEGE ROAD EAST
SUITE 2100
PRINCETON, NJ 08540

INTERNATIONAL APPLICATION NO.

PCT/IB2005/000512

I.A. FILING DATE	PRIORITY DATE
02/28/2005	02/27/2004

CONFIRMATION NO. 3246
371 FORMALITIES LETTER



Date Mailed: 06/26/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/25/2006
- Copy of the International Search Report filed on 08/25/2006
- Copy of IPE Report filed on 08/25/2006
- Oath or Declaration filed on 08/25/2006
- U.S. Basic National Fees filed on 08/25/2006
- Priority Documents filed on 08/25/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A SHELTON

Telephone: (703) 308-9140 EXT 207